



Driving progress
through partnership

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November 7, 2024

VIA ECF

Honorable Brian R. Martinotti, U.S.D.J
United States District Court
District of New Jersey
U.S. Post Office & Courthouse
2 Federal Square
Newark, NJ 07102

Re: *In re: Insulin Pricing Litigation*, No. 2:23-md-03080-BRM-RLS
MDL No. 3080

Dear Judge Martinotti:

In accordance with Paragraph 4(b) of MDL Case Management Order #1, we write on behalf of all parties to provide the following updates in advance of the case-management conference scheduled for 11:00 a.m. on Tuesday, November 12, 2024:

Jointly Raised

Plaintiff Fact Sheets in State Attorney General Track: On October 18, 2024, the parties filed written submissions with Magistrate Judge Singh in support of their respective positions regarding plaintiff fact sheets for the State Attorney General track. The parties welcome the Court and Judge Singh's guidance as to whether to repurpose the currently scheduled conference to argue those submissions, set a different date for argument on the submissions, or if the submissions will be decided on the papers.

Contested

Amendment of Self-Funded Payer Track Complaints:

Plaintiffs' Position: Forthcoming complaints filed by plaintiffs in the Self-Funded Payer Track will be including certain PBM-affiliated rebate aggregating entities that negotiate drug rebates on behalf of the PBM Defendants.¹ Plaintiffs are willing to

¹ The Class Action Track's Amended Consolidated Class Action Complaint filed on October 4, 2024, named the rebate aggregators as defendants [ECF No. 302].

meet and confer with Defendants as to the process to amend earlier-filed complaints and would welcome the Court's guidance in this regard during Tuesday's conference.

Defendants' Position: Earlier today, Plaintiffs informed Defendants of their intention to have forthcoming complaints filed by Plaintiffs in the Self-Funded Payer Track include as defendants certain PBM-affiliated entities that negotiate drug rebates on behalf of the PBM Defendants. Defendants are willing to meet and confer with Plaintiffs regarding this topic, and the Court need not address the issue before that. Defendants object to Plaintiffs first raising this issue today, and oppose including it on the agenda for next week's conference.

The parties will be prepared to discuss the preceding matters to the extent the Court wishes to do so on Tuesday. Thank you for your continuing attention to this matter.

* * *

Also enclosed for the Court's reference is a current MDL case list. We thank the Court for its continued attention to this matter.

Respectfully submitted,

/s/ Melissa A. Geist

Melissa A. Geist

CC: All Parties of Record via ECF

***In re Insulin Pricing Litigation* (MDL No. 3080)**
Case No. 2:23-md-03080-BRM-RLS
Case List as of November 7, 2024

Ref. #	Case Name	Case No.
Self-Funded Payer Track Cases		
1	County of Monmouth, New Jersey v. Eli Lilly and Company, et al.	2:23-cv-03916
2	Cattaraugus County, New York v. Eli Lilly and Company, et al.	2:23-cv-04384
3	Jackson County, Missouri v. Eli Lilly and Company, et al.	2:23-cv-04531
4	City of Cleveland, Ohio v. Eli Lilly and Company, et al.	2:23-cv-04544
5	County of Albany, New York v. Eli Lilly and Company, et al.	2:23-cv-07042
6	Lake County, Illinois v. Eli Lilly and Company, et al.	2:23-cv-08487
7	Bossier Parish v. Eli Lilly and Company, et al.	2:23-cv-10910
8	Steuben County, New York v. Eli Lilly and Company, et al.	2:23-cv-18249
9	Cortland County, New York v. Eli Lilly and Company, et al.	2:23-cv-18314
10	Livingston County, New York v. Eli Lilly and Company, et al.	2:23-cv-18351
11	Schenectady County, New York v. Eli Lilly and Company, et al.	2:23-cv-20375
12	Cuyahoga County v. Eli Lilly and Company, et al.	2:23-cv-21082
13	King County v. Eli Lilly and Company, et al.	2:23-cv-21178
14	Pinellas County, Florida v. Eli Lilly and Company, et al.	2:23-cv-21381
15	City of Alexandria, Virginia v. Eli Lilly and Company, et al.	2:23-cv-22769
16	County Board of Arlington County, Virginia v. Eli Lilly and Company, et al.	2:23-cv-22776
17	Spokane County v. Eli Lilly and Company, et al.	2:23-cv-22847

Ref. #	Case Name	Case No.
18	Board of County Commissioners of Washington County, Maryland v. Eli Lilly and Company, et al.	2:23-cv-22917
19	Henrico County, Virginia v. Eli Lilly and Company, et al.	2:23-cv-23042
20	The Board of County Commissioners of St. Mary's County, Maryland v. Eli Lilly and Company, et al.	2:23-cv-23090
21	Anne Arundel County, Maryland v. Eli Lilly and Company, et al.	2:24-cv-00384
22	County of Wayne, Michigan v. Eli Lilly and Company, et al.	2:24-cv-00523
23	City of Roanoke, Virginia et al. v. Eli Lilly and Company, et al.	2:24-cv-00559
24	Erie County, New York v. Eli Lilly and Company, et al.	2:24-cv-00632
25	Onondaga County, New York v. Eli Lilly and Company, et al.	2:24-cv-00646
26	Niagara County, New York v. Eli Lilly and Company, et al.	2:24-cv-00652
27	Broome County, New York v. Eli Lilly and Company, et al.	2:24-cv-00692
28	Oneida County, New York v. Eli Lilly and Company, et al.	2:24-cv-00694
29	Washtenaw County, Michigan, et al. v. Eli Lilly and Company, et al.	2:24-cv-00717
30	Macomb County, Michigan v. Eli Lilly and Company, et al.	2:24-cv-00719
31	Monroe County, Michigan v. Eli Lilly and Company, et al.	2:24-cv-00720
32	LDG Medical Services Group, L.L.C., et al. v. Eli Lilly and Company, et al.	2:24-cv-00725
33	Warren County, New York v. Eli Lilly and Company, et al.	2:24-cv-00992
34	St. Louis County, Missouri v. Eli Lilly and Company, et al.	2:24-cv-04615
35	Mayor & City Council of Baltimore v. Eli Lilly & Company, et al.	2:24-cv-05099
36	City of Lorain, Ohio v. Eli Lilly and Company, et al.	2:24-cv-05002
37	Commonwealth of Pa. ex rel. Lawrence S. Krasner v. Eli Lilly and Company, et al.	2:24-cv-05391
38	Clark County v. Eli Lilly and Co., et al.	2:24-cv-06568
39	Heat and Frost Insulators Local No. 33 Health Fund v. Eli Lilly and Company, et al.	2:24-cv-06233

Ref. #	Case Name	Case No.
40	Int'l Union of Operating Engineers Local No. 478 Health Fund v. Eli Lilly and Company, et al.	2:24-cv-06303
41	Int'l Union of Operating Engineers Welfare Fund of Eastern Pa. v. Eli Lilly and Company, et al.	2:24-cv-06312
42	Board of Supervisors of Accomack County v. Eli Lilly and Company, et al.	2:24-cv-06329
43	City of Portsmouth, Virginia v. Eli Lilly and Company, et al.	2:24-cv-06331
44	Hamblen County, TN v. Eli Lilly and Company, et al.	2:24-cv-06456
45	Greene County, Tennessee v. Eli Lilly and Company, et al.	2:24-cv-06919
46	City of Marietta, Georgia v. Eli Lilly and Company, et al.	2:24-cv-06949
47	Johnson County, Tennessee v. Eli Lilly and Company, et al.	2:24-cv-06973
48	Cocke County, Tennessee v. Eli Lilly and Company, et al.	2:24-cv-06980
49	Kentucky Laborers District Council Health and Welfare Fund v. Eli Lilly and Company, et al.	2:24-cv-07091
50	Iron Workers' Locals No. 14 and 434 Extended Benefit Fund v. Eli Lilly and Company, et al.	2:24-cv-07720
51	Ulster County v. Eli Lilly and Company, et al.	2:24-cv-07854
52	Virginia Beach, Virginia v. Eli Lilly and Company, et al.	2:24-cv-07885
53	Parish Government Risk Management Agency v. Eli Lilly and Company, et al.	2:24-cv-08097
54	County of Whitfield, Georgia v. Eli Lilly and Company, et al.	2:24-cv-08235
55	County of Catoosa, Georgia v. Eli Lilly and Company, et al.	2:24-cv-08307
56	City of Hialeah, Florida v. Eli Lilly and Company, et al.	2:24-cv-08327
57	New England Health Care Employees Welfare Fund v. Eli Lilly and Company, et al.	2:24-cv-08770
58	Hillsborough County, Florida v. Eli Lilly and Company, et al.	2:24-cv-08931
59	County of Oswego, New York v. Eli Lilly and Company, et al.	2:24-cv-09157
60	City of Ann Arbor, Michigan v. Eli Lilly and Company, et al.	2:24-cv-09404
61	County of Livingston, Michigan v. Eli Lilly and Company, et al.	2:24-cv-09405

Ref. #	Case Name	Case No.
62	County of Genesee, Michigan v. Eli Lilly and Company, et al.	2:24-cv-09592
63	City of Grand Rapids, Michigan v. Eli Lilly and Company, et al.	2:24-cv-09593
64	County of Carroll, Georgia v. Eli Lilly and Company, et al.	2:24-cv-09621
64	Sistema Integrado de Salud del Oeste LLC v. Eli Lilly and Company, et al.	2:24-cv-09641
65	County of Shiawassee, Michigan v. Eli Lilly and Company, et al.	2:24-cv-09674
66	County of Saginaw, Michigan v. Eli Lilly and Company, et al.	2:24-cv-09675
67	Pittsburgh Public Schools v. Eli Lilly and Company, et al.	2:24-cv-10150
68	Fairfax County, Virginia v. Eli Lilly and Company, et al.	2:24-cv-10171
69	Western Pennsylvania Schools Health Care Consortium, Inc. v. Eli Lilly and Company, et al.	2:24-cv-10249
70	County of Isabella, Michigan v. Eli Lilly and Company, et al.	2:24-cv-10272
State Attorney General Track Cases		
1	State of Montana, ex rel. Austin Knudsen v. Eli Lilly and Company, et al.	2:23-cv-04214
2	State of Kansas, ex rel., Kris W. Kobach, Attorney General v. Eli Lilly and Company, et al.	2:23-cv-04219
3	State of Arkansas, ex rel. Tim Griffin, Attorney General v. Eli Lilly and Company et al.	2:23-cv-04239
4	State of Illinois, ex rel. Raoul v. Eli Lilly and Company et al.	2:23-cv-04242
5	State of Mississippi, ex rel. Lynn Fitch Attorney General v. Eli Lilly and Company et al.	2:23-cv-04364
6	State of Kentucky, ex rel. Daniel Cameron v. Novo Nordisk Inc., et al.	2:23-cv-21374
7	The State of Louisiana v. Sanofi-Aventis U.S. LLC et al.	2:23-cv-22978
8	Arizona v. Optum Incorporated et al.	2:24-cv-00260
9	State of Utah et al. v. Eli Lilly and Company et al.	2:24-cv-00536
10	State of Indiana v. Express Scripts Administrators, et al.	2:24-cv-06068
11	State of Louisiana v. Eli Lilly and Company, et al.	2:24-cv-07048

Ref. #	Case Name	Case No.
12	State of Oklahoma ex rel. Drummond v. Eli Lilly and Company, et al.	2:24-cv-07606
	Class Action Track Cases	
1	Local 837 Health and Welfare Plan, individually and on behalf of all other similarly situated v. Eli Lilly and Company, et al.	2:23-cv-20932
2	Local No. 1 Health Fund, and Plan of Benefits for the Local No. 1 Health Fund, individually and on behalf of all others similarly situated v. Eli Lilly and Company, et al.	2:23-cv-21160